

**BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
LEGISLATIVE SESSION 2022**

Issued: February 24, 2022
Work Session: March 1, 2022
Legislative Day No. 5: March 7, 2022

*The accompanying notes are
compiled from unaudited
information provided by
the Administration and
other sources.*



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

March 7, 2022

NOTES TO THE AGENDA

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* Withdrawn

**AGENDA
BALTIMORE COUNTY COUNCIL
LEGISLATIVE SESSION 2022, LEGISLATIVE DAY NO. 5
MARCH 7, 2022 6:00 P.M.**

CEB = CURRENT EXPENSE BUDGET
BY REQ. = AT REQUEST OF COUNTY EXECUTIVE

Page

CALL OF BILLS FOR FINAL READING AND VOTE

COLONEL JOSEPH CONGER, POLICE DEPARTMENT

- 1 Bill 7-22 – Mr. Jones(By Req.) – CEB – Reducing Injury and Death of Missing Individuals with Dementia and Developmental Disabilities (RIDM) Program

**TOM FLAGG, ACTING CHIEF, METROPOLITAN DISTRICT FINANCING & PETITIONS,
DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION**

~~WITHDRAWN~~ Bill 8-22 – Mr. Jones(By Req.) – The 2021-2022 Capital Budget – 210-205-P001 Streets & Highways – Subdivisions

COUNCIL

- 4 Bill 9-22 – Mrs. Bevins – Zoning Regulations – Uses Permitted in the B.M.-C.T. Zone

APPROVAL OF FISCAL MATTERS/CONTRACTS

COLONEL STEVEN HLAVACH, POLICE DEPARTMENT

- 6 1. Purchase Order – Bode Cellmark Forensics, Inc. – Software validation services – BCPD

DEBRA SHINDLE, PROPERTY MANAGEMENT

- 9 2. Amendment to Contract – Ark Systems, Inc. – Maintenance, inspection & repair services – Fire alarm systems – PM

**TOM FLAGG, ACTING CHIEF, METROPOLITAN DISTRICT FINANCING & PETITIONS,
DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION**

- 12 3. Contract – Gannett Fleming, Inc. – Inspection/Evaluation-Water tanks & pre-stressed concrete reservoirs-DPWT
16 4. Contract – Rummel, Klepper and Kahl, LLP – Pipeline design services – distribution mains - DPWT

MISCELLANEOUS BUSINESS

COUNCIL

- 23 1. Correspondence - (a) (4) - Non-Competitive Awards (January 29, 2022)
20 2. Res. 6-22 – Mr. Kach – Review of PUD – The Heights at Hunt Valley

Bill 7-22 (Supplemental Appropriation)**Council District(s) All****Mr. Jones (By Req.)****Police Department****Reducing Injury and Death of Missing Individuals with Dementia
and Developmental Disabilities (RIDM) Program**

The Administration is requesting a supplemental appropriation of federal funds totaling \$149,733 to the Reducing Injury and Death of Missing Individuals with Dementia and Developmental Disabilities (RIDM) Program Gifts and Grants Fund program. The funds will be used over a 3-year period for the salary and fringe benefits (\$53,331) of a new part-time (12 hours-per-week) Police Assistant and for costs (i.e., supplies, service contracts, travel (\$96,402)) for the RIDM, a locally-based voluntary program that employs the use of non-invasive and non-permanent locative tracking technology (battery-operated transmitter placed in a wristband) for persons with forms of dementia or developmental disabilities who are prone to wander. See Exhibit A.

Fiscal Summary

<u>Funding Source</u>	<u>Supplemental Appropriation</u>	<u>Current Appropriation</u>	<u>Total Appropriation</u>
County	--	--	--
State	--	--	--
Federal ⁽¹⁾	\$ 149,733	--	\$ 149,733
Other	--	--	--
Total	<u>\$ 149,733</u>	<u>--</u>	<u>\$ 149,733</u>

⁽¹⁾ U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance funds. No County matching funds are required.

Analysis

The Department advised that the Reducing Injury and Death of Missing Individuals with Dementia and Developmental Disabilities program uses non-invasive and non-permanent locative tracking technology (battery-operated transmitter placed in a wristband) to reduce the number of deaths and injuries of individuals with forms of dementia or developmental disabilities, who due to their conditions, wander from safe environments. The Department further advised that program participation is voluntary, with guardians or parents making the determination that it is the least restrictive alternative for quick location and safe return of disabled individuals.

The grant funds will be used over a 3-year period to support the salary and fringe benefits (\$53,331) of a new part-time (12 hours-per-week) Police Assistant who will serve as the program administrator, the locative tracking system and related supplies (e.g., batteries, wristbands, educational and promotional materials) (\$88,248), service contracts (i.e., monthly battery replacements and equipment functionality tests) (\$7,929), and travel (\$225). The Department advised that it will purchase 200 transmitter devices; each program participant will possess a device for as long as they continue to participate in the program, and there is no fee for participation. The Department further advised that at the end of the 3-year grant period, the County will own the equipment, and the Department's Youth and Community Services Unit will continue to run and monitor the program; the County will incur the cost for the monthly maintenance of battery charging and equipment functionality.

The grant period is October 1, 2021 through September 30, 2024. No County matching funds are required.

With the affirmative vote of five members of the County Council, Bill 7-22 will take effect March 20, 2022.

Executive Summary

A supplemental appropriation in the amount of \$149,733.00 has been made to the Baltimore County Police Department by the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. This request is for Council's approval to accept and appropriate the \$149,733.00 in funding as awarded by the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance.

The Reducing Injury and Death of Missing Individuals with Dementia and Developmental Disabilities (RIDM) project establishes a proactive program using locative technology to reduce the number of deaths and injuries of individuals with forms of dementia, such as Alzheimer's Disease, or developmental disabilities, such as autism, who, due to their condition wander from safe environments.

Funding will be utilized to purchase a locative tracking system and supplies, employ a project administrator, and to produce outreach materials to increase public awareness of the program.

Prepared by: Police Department

Bill 9-22**Council District(s) 6**

Mrs. Bevins

Zoning Regulations – Uses Permitted in the B.M. – C.T. Zone

Bill 9-22 establishes an exception to the requirement in the Business, Major – Commercial, Town-Center Core (B.M.-C.T.) Zone that apartments and elderly housing facilities are only permitted above the first floor of a building.

Generally, a C.T. District overlay may be applied only to primary shopping areas within town centers on land zoned Business Local (B.L.), B.M., Business Roadside (B.R.) and/or Manufacturing Light (M.L.). The primary shopping area within these town centers should: contain a high incidence of pedestrian-oriented retail uses; include major business generators (such as department stores); and include certain auxiliary services (such as offices). Certain planned shopping centers having such characteristics may lie wholly or partially within C.T. Districts.

While many special regulations for Overlay Districts are set forth in the Baltimore County Zoning Regulations, Section 259, such as Commercial, Community Core (C.C.C.) District regulations, there is a separate C.T. District section for each Zone in which the district may be applied. Currently, there are three such sections: Section 232B for the B.L. Zone; Section 235B for the B.M. Zone; and Section 238B for the B.R. Zone. While all three sections prohibit apartments on the first story of a building, the Council has amended Section 235B to permit such apartments in certain areas.

In 2019, the Council approved Bill 35-19, which permitted ground floor apartments in a B.M.-C.T. Zone within a commercial mixed use focal point in the Hunt Valley/Timonium Master Plan that is located north of Shawan Road, west of York Road, and south and east of McCormick Road. In 2020, the Council approved Bill 115-20, which permitted ground floor apartments in a B.M.-C.T. Zone within the Owings Mills Town Center sub-area of the Owings Mills growth area in the Master Plan 2020 that is located north of Lakeside Boulevard, west of Painters Mill Road, south of I-795/Northwest Expressway, and east of Owings Mills Boulevard.

Bill 9-22 permits ground floor apartments in a B.M.-C.T. Zone within the White Marsh Mall sub-area of the Middle River Redevelopment Area in the Master Plan 2020 that is located north and west of Honeygo Boulevard, south of White Marsh Boulevard, and east of Perry Hall Boulevard.

With the affirmative vote of five members of the County Council, Bill 9-22 shall take effect March 21, 2022.

FM-1 (Contract)

Council District(s) All

Police Department

Software Validation Services

The Administration is requesting approval of a contract with Bode Cellmark Forensics, Inc. to perform software validation services for STRmix software (v2.9) for the Police Department's Forensic Services Section, Biology Unit and to provide training for up to seven Police DNA laboratory personnel. The contract commences upon Council approval; the Department advised that the project must be completed, billed, and paid for by September 30, 2022. Compensation may not exceed \$130,157. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County	--	⁽¹⁾ U.S. Department of Justice, Office of Justice Programs, National Institute of Justice - Forensic DNA Backlog Reduction Grant funds.
State	--	
Federal ⁽¹⁾	\$ 130,157	⁽²⁾ Maximum compensation for the validation services.
Other	--	
Total	<u>\$ 130,157</u> ⁽²⁾	

Analysis

The Department advised that the STRmix forensic software produces usable, interpretable, and admissible DNA results for criminal cases (including cold cases, in which evidence is reanalyzed). The contractor will provide laboratory work and swabs necessary to generate the DNA profiles required for validation of the STRmix software (v2.9) for the Police Department's Forensic Services Section, Biology Unit. (The County is responsible for procuring all necessary reagents.) The contractor will conduct the laboratory portion of the services at the Department's Forensic Services lab (anticipated 3-week period) and provide the final data approximately two weeks

following completion of the laboratory work. The contractor also will provide in-house “teach-back” training for up to seven Police DNA laboratory personnel (to ensure the County personnel understand what they need to know, confirmed by their ability to “teach back” what they have learned to the trainer). County laboratory personnel will perform the final data calculations on the software and run additional samples as needed in order to demonstrate their understanding of the software and how it functions and to finalize the validation process. The Department advised that the validation and the validation documentation must meet certain established guidelines.

The contract commences upon Council approval; the Department advised that the project must be completed, billed, and paid for by September 30, 2022. Compensation may not exceed \$130,157. The County may terminate the agreement by providing prior written notice.

The County awarded the contract through a competitive procurement process. The Department advised that the contractor was the only respondent. According to the bid documents, there was not an M/WBE participation requirement.

On December 7, 2020, the Council approved two 5-year and 3-month contracts (which commenced July 21, 2020), with Bode Cellmark Forensics, Inc. and DNA Labs International, Inc., to provide testing services for serology and DNA for the Police Department on an as-needed basis; compensation was limited to the amount appropriated for these services. The County’s financial system indicated that as of February 18, 2022, expenditures and encumbrances totaled \$296,231 and \$32,415 for Bode Cellmark Forensics, Inc. and DNA Labs International, Inc., respectively.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....”

EXECUTIVE SUMMARY

Validation, STRMix™ Software, V2.9

The Project

The scope of services under the contract is to purchase services from a qualified contractor to perform “wet” lab work associated with the validation, including teach back for up to seven (7) DNA laboratory personnel who will perform the actual validation. The vendor will perform and provide data calculations including multiple validation studies, laboratory time, collating and evaluation of validation data, teach back/training of lab staff personnel, and completion of the validation summaries and written standard operating procedures. The lab personnel will perform the final calculations to demonstrate understanding of the software before presenting casework results in court.

The validation must meet guidelines established under SWGDAM Guidelines for the Validation of Probabilistic Genotyping Systems and the validation documentation shall be in accordance with the FBI QAS for Forensic Testing Laboratories. Eleven (11) validation plan requirements are listed in the solicitation.

The validation will be conducted in the Baltimore County Police Department Forensics Services lab. Hard copies must be provided of all data, summaries, charts, tables, worksheets, electropherograms and other written documents involved in the validation study.

BODE Cellmark was the only respondent to the RFP.

Prepared by: Police Department

FM-2 (Contract Amendment)

Council District(s) All

Property Management

Maintenance, Inspection & Repair Services – Fire Alarm Systems

The Administration is requesting approval of an amendment to a contract with Ark Systems, Inc. to continue to provide fire alarm installations, repairs, parts, inspections, and preventative maintenance at various County-owned facilities. The proposed amendment increases the maximum compensation by \$230,000, from \$420,000 to \$650,000, for the entire 5-year and 4-month term, including the renewal and extension periods. The contract commenced January 1, 2018. See Exhibit A.

Fiscal Summary

Funding Source	Contract Amendment	Current Maximum Compensation	Amended Maximum Compensation
County ⁽¹⁾	\$ 230,000	\$ 420,000	\$ 650,000
State	--	--	--
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 230,000</u>	<u>\$ 420,000</u>	<u>\$ 650,000</u> ⁽²⁾

⁽¹⁾ General Fund Operating Budget or Capital Projects Fund, depending on the nature of the work.

⁽²⁾ Maximum compensation for the entire 5-year and 4-month term, including the renewal and extension periods.

Analysis

The contractor provides all necessary labor, materials, tools, equipment, supervision, and related incidentals required to test, inspect, maintain, repair, and/or upgrade fire alarm systems and equipment and to perform emergency and routine trouble shooting and diagnosis of the systems located in 104 County-owned facilities. Hourly labor rates are \$65.83, \$81.15, and \$120.72 for a normal business day (7:00 a.m. until 5:00 p.m., Monday through Friday), off hours (5:00 p.m. until

7:00 a.m. and weekends), and holidays, respectively. Unit prices for fire alarm maintenance and annual testing range from \$150 (Oregon Ridge Nature Center) to \$3,403 (County Courts Building) per year, depending on the building. The contractor's mark-up for materials is 56%. Additional buildings may be added as required.

Property Management advised that the proposed amendment is necessary due to a greater number of fire alarm systems requiring service than what was originally projected and an increase in the cost of materials.

On April 16, 2018, the Council approved the original 5-year and 4-month contract (which commenced January 1, 2018) not to exceed \$420,000 for services at 91 facilities. The proposed amendment increases the maximum compensation by \$230,000 to \$650,000 for the entire 5-year and 4-month term, including the renewal and extension periods. All other terms and conditions remain the same. The County may terminate the agreement by providing 30 days prior written notice. The County's financial system indicated that as of February 14, 2022, \$409,346 has been encumbered/expended under the contract.

The County awarded the original contract as a cooperative procurement of an October 2017 Baltimore Regional Cooperative Purchasing Committee procurement effort with Baltimore County Public Schools (BCPS) serving as the lead agency. BCPS awarded the contract through a competitive procurement process based on the lowest responsive and responsible bid from five bids received. According to the bid documents, there is a 14% M/WBE participation requirement.

County Charter, Section 715, requires that "any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year...."

Executive Summary

Property Management is requesting the approval of an amendment to the contract for Ark Systems, Inc. to provide maintenance, inspection and repair of fire alarm systems located in County owned facilities.

Total compensation will increase from Four Hundred Twenty Thousand Dollars (\$420,000) to Six Hundred Fifty Thousand Dollars (\$650,000) upon approval from the County Council. This would provide a \$230,000 increase to continue to address the aging infrastructure and increase in cost of materials. The systems that are being replaced or repaired are all life safety systems with in our facilities.

Paragraph 2.3 of the Agreement shall be deleted and replaced with the following:

“In no event shall the total compensation paid to the contractor exceed the sum of Six Hundred Fifty Thousand Dollars (\$650,000.00) during the entire term of this Agreement including renewals thereof.”

All other terms, conditions and provisions of the Agreement remain in full force and effect.

Prepared by: Property Management

FM-3 (Contract)

Council District(s) All

Department of Public Works and Transportation

Inspection/Evaluation – Water Tanks & Pre-Stressed Concrete Reservoirs

The Administration is requesting approval of a contract with Gannett Fleming, Inc. to provide on-call water tank and reservoir inspection and design services for County-owned water storage facilities in the Baltimore Metropolitan Water System. The contract commences upon Council approval, continues for 4 years, and will renew automatically for two additional 2-year periods. The contract provides that the agreement shall remain in effect until the earlier of the date upon which the required services are completed or the agreement is terminated. The contract does not specify a maximum compensation for the initial 4-year term. Compensation may not exceed \$1.5 million for the entire 8-year term, including the renewal periods. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County ⁽¹⁾	\$ 1,500,000	⁽¹⁾ Capital Projects Fund (Metropolitan District). ⁽²⁾ Maximum compensation for the entire 8-year term, including the renewal periods. The contract does not specify a maximum compensation for the initial 4-year term.
State	--	
Federal	--	
Other	--	
Total	\$ 1,500,000 ⁽²⁾	

Analysis

The contractor will provide on-call water tank and reservoir inspection and design services for County-owned water storage facilities in the Baltimore Metropolitan Water System. Services may include inspection and evaluation of existing water tanks and reservoirs, design of structural repairs, writing of necessary specifications and preparation of drawings, and other related services as needed.

The contract commences upon Council approval, continues for 4 years, and will renew automatically for two additional 2-year periods on the same terms and conditions, unless the County provides notice of non-renewal. The contract provides that the agreement shall remain in effect until the earlier of the date upon which the required services are completed or the agreement is terminated. The contract does not specify a maximum compensation for the initial 4-year term. Compensation may not exceed \$1.5 million for the entire 8-year term, including the renewal periods.

Services will be performed at the engineer's cost plus profit. Profit is limited to 10% of the combined total of direct labor costs plus overhead and payroll burden. Hourly rates and percentages for overhead, payroll burden, and profit must be within established County limits. Funding for this contract will not be encumbered at this time. Rather, contract costs will be charged to specific projects as they are assigned. The County may terminate the agreement by providing 30 days prior written notice.

The contract stipulates that should work be performed under the 2005 consent decree, the contractor shall be liable for payment of penalties charged to the County for failure by the contractor to meet or achieve deadlines or requirements. The damages payable are dependent upon the type of project and the length of delay in completing the project. The Department advised that it does not expect to utilize this contract for consent decree projects.

The Department advised that on July 28, 2021, the Professional Services Selection Committee (PSSC) selected the proposed contractor and Whitman, Requardt and Associates, LLP from 8 submittals based on qualifications and experience. According to the bid documents, there was a 20% M/WBE participation requirement. The Department further advised that its current process is to assign tasks to the contractors based on the size, type, and complexity of the work and the qualifications, skillsets, and staffing availability of the firms. The Department noted that it is evaluating its current work assignment process in response to the recommendations of the Baltimore County Commission on Procurement, Purchasing and Contracting.

On December 20, 2021, the Council approved a similar 8-year contract with Whitman, Requardt and Associates, LLP not to exceed \$1.5 million. The County's financial system indicated that as of February 16, 2022, no funds have been encumbered/expended.

On November 7, 2011, the Council approved a similar 7-year contract with Tank Industry Consultants, Inc. not to exceed \$1.0 million. The contract expired November 6, 2018. The County's financial system indicated that \$917,246 was expended under the contract. The Department advised that since the contract's expiration, no services have been performed, and a backlog of work exists. The Department further advised that the establishment of new contracts was delayed due to COVID.

The County's financial system indicated that as of February 15, 2022, the County has 7 other contracts with Gannett Fleming, Inc.

County Charter, Section 715, requires that "any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year...."

EXECUTIVE SUMMARY

On-Call Water Tank and Reservoir Inspection and Design

Vendor Name – Gannett Fleming, Inc.

Scope of Contract – Projects may include:

- Inspection and evaluation of existing water tanks and prestressed concrete reservoirs and writing comprehensive engineering reports.
- Inspection of water tanks using underwater divers and/or robotic underwater equipment.
- Design of structural repairs in tank and prestressed concrete reservoir contracts.
- Writing necessary specifications and preparing drawings for tank and prestressed concrete reservoirs contracts.
- Design dealing with the removal of lead-based paint from water tanks.
- Design of coating and recoating of water storage tanks.
- Cost estimates involved in the rehabilitation of water tanks.
- Contract Administration dealing with the rehabilitation of water tanks.
- Construction inspection of storage tanks and prestressed concrete reservoirs in regards to rehabilitation contracts.

Purpose - Consultant services are needed for performing various types of inspection and design engineering tasks regarding the water storage facilities in the Baltimore Metropolitan Water system. Baltimore County's water, pumping and transmission system serves approximately 141,000 acres of land comprised of residential, industrial, and commercial areas and includes over 2,266 miles of public water mains. There are eighteen (18) elevated water tanks and six water reservoirs located within the system.

Contract Value \$ - \$1,500,000.00

Term – Four (4) year initial term with two (2) automatic two (2) year extensions for a total of eight (8) years.

Vendor Selection method - Via PSSC meeting on July 28, 2021

Prepared by: Department of Public Works and Transportation

FM-4 (Contract)

Council District(s) All

Department of Public Works and Transportation

Pipeline Design Services – Distribution Mains

The Administration is requesting approval of a contract with Rummel, Klepper & Kahl, LLP to provide on-call potable water pipeline design services for various “Tier 2” projects throughout the Baltimore Metropolitan Water System. (“Tier 2” services are for projects that typically exceed \$300,000). The contract commences upon Council approval, continues for 4 years, and will renew automatically for two additional 2-year periods. The contract provides that the agreement shall remain in effect until the earlier of the date upon which the required services are completed or the agreement is terminated. The contract does not specify a maximum compensation for the initial 4-year term. Compensation may not exceed \$4 million for the entire 8-year term, including the renewal periods. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County ⁽¹⁾	\$ 4,000,000	⁽¹⁾ Capital Projects Fund (Metropolitan District). ⁽²⁾ Maximum compensation for the entire 8-year term, including the renewal periods. The contract does not specify a maximum compensation for the initial 4-year term.
State	--	
Federal	--	
Other	--	
Total	\$ 4,000,000 ⁽²⁾	

Analysis

The contractor will provide on-call potable water pipeline design services for various “Tier 2” projects throughout the Baltimore Metropolitan Water System. (“Tier 2” services are for projects that typically exceed \$300,000). Services will include: pipeline design; trenchless construction

design; permitting; environmental surveys and studies; preparation of soil erosion, sediment control, and reforestation landscape plans; and construction phase services.

The contract commences upon Council approval, continues for 4 years, and will renew automatically for two additional 2-year periods, unless the County provides notice of non-renewal. The contract provides that the agreement shall remain in effect until the earlier of the date upon which the required services are completed or the agreement is terminated. The contract does not specify a maximum compensation for the initial 4-year term. Compensation may not exceed \$4 million for the entire 8-year term, including the renewal periods.

Services will be performed at the engineer's cost plus profit. Profit is limited to 10% of the combined total of direct labor costs plus overhead and payroll burden. Hourly rates and percentages for overhead, payroll burden, and profit must be within established County limits. Funding for the contract will not be encumbered at this time. Rather, contract costs will be charged to specific projects as they are assigned. The County may terminate the agreement by providing 30 days prior written notice.

The contract stipulates that should work be performed under the 2005 consent decree, the contractor shall be liable for payment of penalties charged to the County for failure by the contractor to meet or achieve deadlines or requirements. The damages payable are dependent upon the type of project and the length of delay in completing the project. The Department advised that it does not expect to utilize this contract for consent decree projects.

The Department advised that on July 28, 2021, the Professional Services Selection Committee (PSSC) selected the proposed contractor and 7 other contractors from 16 (4 for "Tier 1" and 12 for "Tier 2" projects) submittals based on qualifications and experience. According to the bid documents, there was a 20% M/WBE participation requirement.

The Council previously has approved seven similar 8-year contracts, including five contracts for "tier 2" services (not to exceed \$4 million each) and 2 two contracts for "tier 1" services (not to exceed \$2 million each). On December 6, 2021, the Council approved contracts with The Wilson T. Ballard Company and Johnson, Mirmiran and Thompson, Inc. for "Tier 2" projects. On December 20, 2021, the Council approved a contract with Gannet Fleming, Inc. for "Tier 2" projects. On January 3, 2022, the Council approved contracts with C.C. Johnson & Malhotra, P.C. for "Tier 1" projects and Dewberry Engineers Inc. for "Tier 2" projects. On January 18, 2022,

the Council approved contracts with EBA Engineering, Inc. for “Tier 1” projects and KCI Technologies, Inc. for “Tier 2” projects. The Department advised that its current process is to assign tasks to the contractors based on the size, type, and complexity of the work and the qualifications, skillsets, and staffing availability of the firms. The Department noted that it is evaluating its current work assignment process in response to the recommendations of the Baltimore County Commission on Procurement, Purchasing and Contracting.

On August 6, 2012, the Council approved two similar 5-year contracts not to exceed \$2 million each with The Wilson T. Ballard Company and Michael Baker, Jr., Inc. (now Michael Baker International). The contracts expired August 5, 2017. The County’s financial system indicated that as of February 14, 2022, a total of \$3,485,324 had been expended/encumbered under the two contracts: \$1,942,712 for The Wilson T. Ballard Company and \$1,542,612 for Michael Baker International. On May 2, 2016, the Council approved a similar 5-year contract not to exceed \$2 million with Rummel, Klepper & Kahl, LLP. The contract expired May 1, 2021. The County’s financial system indicated that as of February 15, 2022, \$1,994,101 had been expended/encumbered under the contract. The Department advised that it is requesting eight contracts due to the complexity of the water system and the extensive scope of design services that is required, and to address the backlog of work that exists. The Department further advised that the establishment of new contracts was delayed due to COVID.

The County’s financial system indicated that as of February 14, 2022, the County has 7 other contracts with Rummel, Klepper & Kahl, LLP.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....”

Executive Summary

On-Call Potable Water Pipeline Design Services

Vendor Name – Rummel, Klepper & Kahl, LLP (RK&K)

Scope of Contract – Projects may include:

- Pipeline design for distribution mains 4" to 12" – including the development of documents, alignments, plans, specifications and estimates for various diameter pipelines.
- Pipeline design for transmission mains 16" to 36" - including the development of documents, alignments, plans, specifications and estimates for various diameter pipelines.
- Pipeline design in Maryland State Roads.
- Valves and Vaults – including sizing, placement, and structural design.
- Trenchless construction design including directional drill, jack and bore, tunneling and pipe bursting.
- Permitting – including local, state and federal permits.
- Environmental surveys and studies including wetland delineation, wetland mitigation, forest stand delineations and forest conservation plans.
- Development of pipeline repair options.
- Construction phase services – including but not limited to attending pre-bid meetings, attending pre-construction meetings, shop drawing submittal review, review of change order requests.
- Surveying.
- Preparation of right-of-way plats and metes and bounds descriptions.
- Preparation of soil erosion and sediment control plans.
- Preparation of reforestation landscape plans.
- Experience in the design of elevated water storage tanks according to AWWA specifications.
- Experience in the demolition and disposal of existing tanks covered with lead based paint.
- Geotechnical investigations – including pavement cores, soil borings and the preparation of reports.
- Utility Test Holes for locating existing utilities.
- Subsurface utility locating, designating and mapping.
- Provide data in a format fully compatible with ArcGIS and/or AutoCAD.
- Projects in the Baltimore Metropolitan Water System.

Purpose - Consultant services are needed for performing various types of design engineering tasks regarding the Baltimore Metropolitan Water system. Baltimore County's water, pumping, and transmission system serves approximately 141,000 acres of land comprised of residential, industrial, and commercial areas and includes over 2,266 miles of public water mains. Approximately one-half of these water mains are cast iron pipelines potentially in need of replacement.

Contract Value \$ - \$4,000,000.00 (Tier 2)

Term – Four (4) year initial term with two (2) automatic two (2) year extensions for a total of eight (8) years.

Vendor Selection method - Via PSSC meeting on July 28, 2021

Prepared by: Department of Public Works & Transportation

MB-2 (Res. 6-22)**Council District(s) 3**

Mr. Kach

Review of PUD – The Heights at Hunt Valley

Resolution 6-22 approves the review of a proposed Planned Unit Development (“PUD”) in the third Councilmanic District. At the request of the resolution’s sponsor, the vote on Resolution 6-22 was deferred until the legislative session on March 7, 2022.

The first step in the PUD review and approval process requires that a PUD application be submitted to the Councilmember in whose District the proposed PUD is to be located. Next, the applicant must hold a post-submission community meeting. This meeting is similar to the community input meeting that is required during the development review and approval process, except the post-submission community meeting is required at the beginning of the process, prior to the adoption of a resolution approving the further review of the PUD. The applicant must give three weeks’ notice of the meeting and post the property. Notice must be mailed to adjoining property owners and community associations that represent the area.

At the meeting, the applicant must provide information about the plan, allow questions and comments, maintain a record, compile minutes of the meeting, and forward the minutes to the Councilmember and to the Department of Permits, Approvals and Inspections (“PAI”). Community residents and organizations may also provide written comments to the Councilmember. In addition, the Councilmember may require the applicant to hold another post-submission meeting. The applicant must also send copies of the PUD application to PAI, which must then transmit copies of the application to the appropriate reviewing agencies, which, in turn, must provide a preliminary written evaluation of the PUD proposal to the Councilmember.

Once these procedures are completed to the satisfaction of the Councilmember, and if the Council finds that the proposed site is eligible for review, the Council, by adoption of a resolution that has additional advertising and posting requirements, may approve the continued review of the PUD according to the County’s development review and approval process. Only after all of the aforementioned steps have concluded may the adopting resolution be introduced.

Resolution 6-22 avers that the applicant has complied with all of these procedural steps. In the proposed PUD project known as “The Heights at Hunt Valley,” an application was filed by HV Holdings, LLC (“Applicant”) for review and approval of a 31.74± acre site within the Urban Rural Demarcation Line (“URDL”) zoned Manufacturing Light (M.L.) and Rural Conservation and Residential (R.C.) 6 as generally shown as tax account numbers 08-2400003427 and 08-2400003431 in the third Councilmanic District.

The applicant originally proposed a 408 unit age-restricted community with a variety of housing options, including an assisted living facility. However, after numerous informal meetings with the community following the post-submission community meeting, the PUD application has been amended to permit an age-restricted community with no more than 100 single-family attached villa lots, which are intended for occupancy by at least one person 55 years of age or older per residential unit, to the extent required by the Housing for Older Persons Act of 1995 and Section 807(b)(2)(C) of the Fair Housing Act (42 U.S.C. 3607(b)(2)(C)), Section 20-704(c)(1)(i) of the State Government Article of the Maryland Annotated Code, as the same is amended from time to time (collectively sometimes referred to as the “Fair Housing Acts”).

The applicant also proposes to provide an environmental benefit in accordance with Baltimore County Code Section 32-4-242(b)(6)(i) by proposing residential structures that achieve at least a silver rating according to the American National Standards Institute (ANSI) National Green Building Standard (NGBS) for the up to 100 single-family attached villa lots, which are intended for residents 55 years of age or older.

The resolution’s sponsor is considering potential amendments to the proposed PUD project, particularly as to density and housing type.

Upon its passage by the County Council, Resolution 6-22 will be forwarded to the Departments of Planning and PAI for further processing.

BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
APPENDIX A

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Administrative Officer
FROM: Edward P. Blades, Director
Office of Budget & Finance
SUBJECT: Public Recordation of Announcement
of Non-Competitive Awards Charter Sec. 902(f)

DATE: 1/29/22**COUNCIL MEETING
DATE:** 3/7/22

Whenever a contract over \$25,000 is awarded by a process other than a formal competitive bid, a copy of the contract must be given to the County Council, and at the next legislative session-day following the award of the contract, the Secretary to the County Council shall formally announce to the Council the nature of the contract and the parties to the contract. The announcement shall be recorded in the minutes of the County Council, and shall be available for inspection by the public. In compliance with this procedure, information is attached concerning the following awards, which are to be forwarded to the County Council:

Award Document

PO 15922 Chesapeake Environmental Equipment, LLC – Pump, Dry Pit submersible With Accessories

This Purchase Order is for the purchase of Selzer dry pit submersible pumps, specially fabricated suction elbow and stand for the Green Hill Pump Station. As indicated in D'Andrea Walkers Sole Source justification memo dated October 2, 2021, Chesapeake Environmental Equipment is the sole supplier that can provide the upgraded Selzer pumps that can be used at Greenhill cove. The upgraded pumps fit in the space as they are the same configuration which only require new bases and suction elbows replaced when the pumps are installed, where manufacturer's pumps would need to re-engineer the existing piping and be retrofitted to fit into the existing location. This would not be cost effective and would further reduce the pumping station's reliability with could create an unsafe environment and potential health risk to the general public.

Award Total: \$45,300.00
Award Date: 1/29/22

PO 16170 Cellebrite, Inc. – Renewal, Annual UFED software, Police FY22

This Purchase Order is for the purchase of software renewals for Universal Forensic Extraction Devices (UFED). As indicated in Police Chief Melissa Hyatt's 902f Justification on December 30, 2021, Cellebrite's software is proprietary for the UFED. Cellebrite is the equipment manufacturer and therefore the only company that can provide the Software Maintenance Support (SMS) renewals for the UFED and is the primary tool used by the Department to extract data from mobile devices. Over the years, the Department has invested in the purchase of seventeen (17) of these devices, and they are in constant use. The UFED plugs into the cell phone and requires the software to download the information. The data contained within cellular telephones is beneficial in the majority of the investigations conducted by CIB personnel. In addition to supporting investigations, the extractions support numerous Patrol and Investigative Services team investigations. The device has become an essential piece of equipment that is used on almost every case within the Persons Crimes Section. Without this software renewal the UFED devices would not function, therefore negatively impacted criminal investigations.

Award Total: \$25,800.00
Award Date: 2/1/22

PO 16162 Simply Good, LLC - COVID-19 – Catering, Testing & Vaccine, Various Locations, FY22

This Purchase Order provides for the purchase of catering services to various locations throughout Baltimore County from Simply Good LLC. As detailed in the Emergency Justification signed by Edward Blades, since November 3, 2021, community transmission of the COVID-19 virus and its variants within the geographic boundaries of Baltimore County, Maryland has significantly increased, and continues to threaten the lives, health and safety of the citizens. For these reasons, on December 27, 2021, County Executive John A. Olszewski, Jr. proclaimed a state of emergency, which may include personnel, equipment and use of facility space as needed for this emergency to protect the public health, peace and safety of Baltimore County. The catering services will be on an emergency basis for both the COVID-19 testing and vaccine sites. The catering includes boxed lunches, drinks, and snacks, delivered to the location.

Award Total: \$100,000.00

Award Date: 2/1/22

PO 15617-2 Schwaber LS Investors, LLC – Lease, Properties

This Purchase Order is for the lease of a parcel of real property known as Lutherville Station located at 130 Ridgely Road. Lutherville, Maryland 21093. Baltimore County will use the first floor of the office space for the temporary storage of packaged food and PPE supplies.

As indicated in the License Agreement dated March 9, 2021, Baltimore County shall lease the 60, 000 square feet of rentable space for the period of March 15, 2021 to December 31, 2021 and may continue on a month-to-month basis thereafter (reference Purchase Order 15616 previously reported to Council). As a result of the County Executive's proclaimed state of emergency dated December 27, 2021, the County continues to require use of the storage space at Lutherville Station, and has elected to continue on a month-to-month lease through June 30, 2022.

Version 1 of Purchase Order 15617 has been issued to encumber funds for lease payments during the period of August 1, 2021 through December 31, 2021 for a total of \$77,500.00. Version 2 of Purchase Order 15617 has been issued to encumber funds for lease payments during the period of January 1, 2022 through June 30, 2022. Total Additional Expenditures between January 1, 2022 and June 30, 2022 is \$93,000.00, however, when submitting the red tag for Version 2, it was determined that Version 1 was not reported to County Council. Therefore, the full total of \$170,500.00 is being reported at this time.

Award Total: \$170,500.00

Award Date: 2/2/22

cc: J. Benjamin Jr.,
 T. Bostwick
 L. Smelkinson